

Land and Other Legislation Amendment Act 2017

Explanatory notes for SL 2017 No. 203

made under the

Land and Other Legislation Amendment Act 2017

General Outline

Short title

Land and Other Legislation Amendment Act 2017

Authorising law

Section 2 of the *Land and Other Legislation Amendment Act 2017*

Policy objectives and the reasons for them

The objective of the Proclamation is to commence the Priority Notice provisions of the *Land and Other Legislation Amendment Act 2017*, namely part 3, division 3 of the *Land and Other Legislation Amendment Act 2017*.

A nationally consistent Priority Notice is being introduced in Queensland to support the advancement of national electronic conveyancing as sponsored by the Council of Australian Governments.

Achievement of policy objectives

The policy objectives of part 3, division 3 of the *Land and Other Legislation Amendment Act 2017* will be achieved by fixing a commencement day of 1 January 2018.

Queensland's existing Settlement Notice mechanism is being replaced with a nationally consistent Priority Notice that can be deposited through the national electronic conveyancing platform. Priority Notices will extend the application of this mechanism beyond transfer and mortgage related transactions to a broader range of

title dealings, such as leases, and also allow for a 30 day extension of the notice's effect.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the objectives of the *Land and Other Legislation Amendment Act 2017*.

Inconsistency with policy objectives of other legislation

The Proclamation is not inconsistent with policy objectives of any other legislation.

Benefits and costs of implementation

The Proclamation does no more than commence the provisions for Priority Notices.

There are no substantial costs associated with implementing the Priority Notice provisions of the *Land and Other Legislation Amendment Act 2017*. Administration will align with existing processes and occur within existing budget allocations.

Consistency with fundamental legislative principles

The Proclamation does not raise any issues regarding fundamental legislative principles.

Consultation

The Queensland Law Society was consulted on the Proclamation that will commence the Priority Notice provisions of the *Land and Other Legislation Amendment Act 2017* and raised no concerns.